



General Assembly

January Session, 2007

***Raised Bill No. 1304***

LCO No. 4720

\*04720\_\_\_\_\_GL\_\*

Referred to Committee on General Law

Introduced by:  
(GL )

***AN ACT CONCERNING THE LICENSING AND REGULATION OF  
MOTOR VEHICLE APPRAISERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 38a-769 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *January 1, 2008*):

4 (a) Any person, partnership, association or corporation that is  
5 resident in this state or has its principal place of business in this state,  
6 or a nonresident of this state who is not licensed in any other state,  
7 desiring to act within this state as a public adjuster, casualty adjuster,  
8 [motor vehicle physical damage appraiser,] certified insurance  
9 consultant, surplus lines broker or desiring to engage in any insurance-  
10 related occupation for which a license is deemed necessary by the  
11 commissioner, other than an occupation as an insurance producer,  
12 shall make a written application to the commissioner for a resident  
13 license. Any other person, partnership, association or corporation  
14 desiring to so act or to engage in any insurance-related occupation for  
15 which a license is deemed necessary by the commissioner, other than  
16 an occupation as an insurance producer, shall make a written

17 application to the commissioner for a nonresident license. No  
18 application for a nonresident license shall be granted unless the  
19 applicant holds an equivalent license from any other state. Any  
20 application for a resident or nonresident license shall be made for each  
21 name or designation under which such business shall be conducted, in  
22 such form as the commissioner prescribes, stating the line or lines of  
23 insurance for which the applicant desires such license and any other  
24 business which the applicant desires also to transact. All initial  
25 applications shall be accompanied by a nonrefundable filing fee  
26 specified in section 38a-11. The commissioner shall cause to be made  
27 such inquiry and examination as to the qualifications of each such  
28 applicant as the commissioner deems necessary.

29 Sec. 2. Subsection (a) of section 38a-11 of the general statutes is  
30 repealed and the following is substituted in lieu thereof (*Effective*  
31 *January 1, 2008*):

32 (a) The commissioner shall demand and receive the following fees:  
33 (1) For the annual fee for each license issued to a domestic insurance  
34 company, one hundred dollars; (2) for receiving and filing annual  
35 reports of domestic insurance companies, twenty-five dollars; (3) for  
36 filing all documents prerequisite to the issuance of a license to an  
37 insurance company, one hundred seventy-five dollars, except that the  
38 fee for such filings by any health care center, as defined in section 38a-  
39 175, shall be one thousand one hundred dollars; (4) for filing any  
40 additional paper required by law, fifteen dollars; (5) for each certificate  
41 of valuation, organization, reciprocity or compliance, twenty dollars;  
42 (6) for each certified copy of a license to a company, twenty dollars; (7)  
43 for each certified copy of a report or certificate of condition of a  
44 company to be filed in any other state, twenty dollars; (8) for  
45 amending a certificate of authority, one hundred dollars; (9) for each  
46 license issued to a rating organization, one hundred dollars. In  
47 addition, insurance companies shall pay any fees imposed under  
48 section 12-211; (10) a filing fee of twenty-five dollars for each initial  
49 application for a license made pursuant to section 38a-769; (11) with

50 respect to insurance agents' appointments: (A) A filing fee of twenty-  
51 five dollars for each request for any agent appointment, except that no  
52 filing fee shall be payable for a request for agent appointment by an  
53 insurance company domiciled in a state or foreign country which does  
54 not require any filing fee for a request for agent appointment for a  
55 Connecticut insurance company; (B) a fee of forty dollars for each  
56 appointment issued to an agent of a domestic insurance company or  
57 for each appointment continued; and (C) a fee of twenty dollars for  
58 each appointment issued to an agent of any other insurance company  
59 or for each appointment continued, except that no fee shall be payable  
60 for an appointment issued to an agent of an insurance company  
61 domiciled in a state or foreign country which does not require any fee  
62 for an appointment issued to an agent of a Connecticut insurance  
63 company; (12) with respect to insurance producers: (A) An  
64 examination fee of seven dollars for each examination taken, except  
65 when a testing service is used, the testing service shall pay a fee of  
66 seven dollars to the commissioner for each examination taken by an  
67 applicant; (B) a fee of forty dollars for each license issued; (C) a fee of  
68 forty dollars per year, or any portion thereof, for each license renewed;  
69 and (D) a fee of forty dollars for any license renewed under the  
70 transitional process established in section 38a-784; (13) with respect to  
71 public adjusters: (A) An examination fee of seven dollars for each  
72 examination taken, except when a testing service is used, the testing  
73 service shall pay a fee of seven dollars to the commissioner for each  
74 examination taken by an applicant; and (B) a fee of one hundred  
75 twenty-five dollars for each license issued or renewed; (14) with  
76 respect to casualty adjusters: (A) An examination fee of ten dollars for  
77 each examination taken, except when a testing service is used, the  
78 testing service shall pay a fee of ten dollars to the commissioner for  
79 each examination taken by an applicant; (B) a fee of forty dollars for  
80 each license issued or renewed; and (C) the expense of any  
81 examination administered outside the state shall be the responsibility  
82 of the entity making the request and such entity shall pay to the  
83 commissioner one hundred dollars for such examination and the

84 actual traveling expenses of the examination administrator to  
85 administer such examination; [(15) with respect to motor vehicle  
86 physical damage appraisers: (A) An examination fee of forty dollars  
87 for each examination taken, except when a testing service is used, the  
88 testing service shall pay a fee of forty dollars to the commissioner for  
89 each examination taken by an applicant; (B) a fee of forty dollars for  
90 each license issued or renewed; and (C) the expense of any  
91 examination administered outside the state shall be the responsibility  
92 of the entity making the request and such entity shall pay to the  
93 commissioner one hundred dollars for such examination and the  
94 actual traveling expenses of the examination administrator to  
95 administer such examination; (16)] (15) with respect to certified  
96 insurance consultants: (A) An examination fee of thirteen dollars for  
97 each examination taken, except when a testing service is used, the  
98 testing service shall pay a fee of thirteen dollars to the commissioner  
99 for each examination taken by an applicant; (B) a fee of two hundred  
100 dollars for each license issued; and (C) a fee of one hundred twenty-  
101 five dollars for each license renewed; [(17)] (16) with respect to surplus  
102 lines brokers: (A) An examination fee of ten dollars for each  
103 examination taken, except when a testing service is used, the testing  
104 service shall pay a fee of ten dollars to the commissioner for each  
105 examination taken by an applicant; and (B) a fee of five hundred  
106 dollars for each license issued or renewed; [(18)] (17) with respect to  
107 fraternal agents, a fee of forty dollars for each license issued or  
108 renewed; [(19)] (18) a fee of thirteen dollars for each license certificate  
109 requested, whether or not a license has been issued; [(20)] (19) with  
110 respect to domestic and foreign benefit societies shall pay: (A) For  
111 service of process, twenty-five dollars for each person or insurer to be  
112 served; (B) for filing a certified copy of its charter or articles of  
113 association, five dollars; (C) for filing the annual report, ten dollars;  
114 and (D) for filing any additional paper required by law, three dollars;  
115 [(21)] (20) with respect to foreign benefit societies: (A) For each  
116 certificate of organization or compliance, four dollars; (B) for each  
117 certified copy of permit, two dollars; and (C) for each copy of a report

118 or certificate of condition of a society to be filed in any other state, four  
 119 dollars; [(22)] (21) with respect to reinsurance intermediaries: A fee of  
 120 five hundred dollars for each license issued or renewed; [(23)] (22)  
 121 with respect to viatical settlement providers: (A) A filing fee of thirteen  
 122 dollars for each initial application for a license made pursuant to  
 123 section 38a-465a; and (B) a fee of twenty dollars for each license issued  
 124 or renewed; [(24)] (23) with respect to viatical settlement brokers: (A) A  
 125 filing fee of thirteen dollars for each initial application for a license  
 126 made pursuant to section 38a-465a; and (B) a fee of twenty dollars for  
 127 each license issued or renewed; [(25)] (24) with respect to viatical  
 128 settlement investment agents: (A) A filing fee of thirteen dollars for  
 129 each initial application for a license made pursuant to section 38a-465a;  
 130 and (B) a fee of twenty dollars for each license issued or renewed;  
 131 [(26)] (25) with respect to preferred provider networks, a fee of two  
 132 thousand five hundred dollars for each license issued or renewed;  
 133 [(27)] (26) with respect to rental companies, as defined in section 38a-  
 134 799, a fee of forty dollars for each permit issued or renewed; [(28)] (27)  
 135 with respect to medical discount plan organizations licensed under  
 136 section 38a-479rr, a fee of five hundred dollars for each license issued  
 137 or renewed; and [(29)] (28) with respect to each duplicate license  
 138 issued a fee of twenty-five dollars for each license issued.

139 Sec. 3. (NEW) (*Effective January 1, 2008*) (a) Any person, partnership,  
 140 association or corporation that is a resident in this state or has its  
 141 principal place of business in this state, or a nonresident of this state  
 142 who is not licensed in any other state, desiring to act within this state  
 143 as motor vehicle physical damage appraiser shall make a written  
 144 application to the Commissioner of Consumer Protection for a resident  
 145 license. Any other person, partnership, association or corporation  
 146 desiring to so act within this state as a motor vehicle physical damage  
 147 appraiser shall make a written application to the commissioner for a  
 148 nonresident license. No application for a nonresident license shall be  
 149 granted unless the applicant holds an equivalent license from any  
 150 other state. Any application for a resident or nonresident license shall  
 151 be made for each name or designation under which such business shall

152 be conducted, in such form as the commissioner prescribes and any  
153 other business which the applicant desires also to transact. All initial  
154 applications shall be accompanied by a nonrefundable filing fee of one  
155 hundred dollars. The commissioner shall cause to be made such  
156 inquiry and examination as to the qualifications of each such applicant  
157 as the commissioner deems necessary.

158 (b) Each application for a license shall be signed by: (1) The  
159 applicant, if the application is for an individual; (2) a licensed officer, if  
160 the application is for a corporation; (3) a licensed partner, if the  
161 application is for a partnership; and (4) a licensed principal, if the  
162 application is for any other applicant.

163 (c) Each applicant for a license shall furnish satisfactory evidence to  
164 the commissioner that the applicant is a person of good moral  
165 character and that the applicant is financially responsible.

166 (d) Upon finding that an applicant meets the licensing requirements  
167 of this section and is in all respects properly qualified and trustworthy  
168 and that the granting of such license is not against the public interest,  
169 the commissioner may issue to such applicant the license applied for,  
170 in such form as the commissioner may adopt, to act within this state to  
171 the extent therein specified.

172 (e) The commissioner may adopt regulations, in accordance with  
173 chapter 54 of the general statutes, concerning the approval of schools  
174 offering courses in the motor vehicle physical damage appraisal, the  
175 content of such courses and the advertising to the public of the services  
176 of these schools.

177 (f) To further the enforcement of this section and to determine the  
178 eligibility of any licensee, the commissioner may, as often as the  
179 commissioner deems necessary, examine the books and records of any  
180 such licensee.

181 (g) A license may, in the discretion of the commissioner, be renewed

182 or continued upon payment of an appropriate fee, as determined by  
183 the commissioner, without the resubmittal of the detailed information  
184 required in the original application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2008</i>	38a-769(a)
Sec. 2	<i>January 1, 2008</i>	38a-11(a)
Sec. 3	<i>January 1, 2008</i>	New section

***Statement of Purpose:***

To transfer the licensing and regulation of motor vehicle appraisers from the Insurance Department to the Department of Consumer Protection.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*